



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 011738.00015)

DB
#7/9
1-13

| | | |
|--|---|---------------------------|
| In the Application of: Daryle Lee Petersen |) | |
| |) | |
| Serial No. 09/945,472 |) | Group Art Unit: 3763 |
| |) | |
| Filed: August 30, 2001 |) | Examiner: Catherine Serke |
| |) | |
| For: Convection Enhanced Delivery Catheter |) | Confirmation Number: 3236 |
| To Treat Brain and Other Tumors |) | |

AMENDMENT AND RESPONSE TO OFFICE ACTION
DATED SEPTEMBER 26, 2003

Mail Stop: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 2313-1450

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Dear Sir:

This paper is responsive to the Office Action dated September 26, 2003. The Examiner has set a three-month period for response, thus making this response due on or before **December 29, 2003**. It is believed that no fee is due in connection with this filing. However, if a fee is due, the Office is authorized to charge such a fee to Deposit Account No. 19-0733.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.



**CERTIFICATE OF MAILING
(PATENT APPLICATION)**

Express Mail No. EV306395295US~~US~~
Deposited: December 29, 2003

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By:  _____

Application of: Daryle Lee Petersen

Application No.: 09/945,472

Filing Date: August 30, 2001

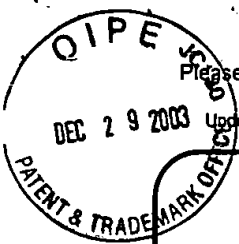
Title: Convection Enhanced Delivery Catheter to Treat Brain and Other Tumors

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Transmitted herewith are the following documents:

- X Transmittal Form PTO/SB/21 (1 page) in duplicate
- X Amendment and Response to Office Action Dated September 26, 2003
(12 pages)
- X Return Postcard

Attorney Case No.: 011738.00015



Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | |
|------------------------|---------------------|
| Application Number | 09/945,472 |
| Filing Date | August 30, 2001 |
| First Named Inventor | Daryle Lee Petersen |
| Group Art Unit | 3763 |
| Examiner Name | Catherine Serke |
| Attorney Docket Number | 11738.00015 |

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/ Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

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Remarks

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

William J. Allen
Banner & Witcoff, Ltd.

Signature

William J. Allen 51,393

Date

December 29, 2003

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